

**State of Rhode Island
Department of Administration**

**Minutes of the
State Properties Committee Meeting
(Regular Session)**

**Held on
Tuesday, June 4, 2013
10:00 AM**

**Held at
Department of Administration
One Capitol Hill, 2nd Floor (Conference Room C)
Providence, Rhode Island 02908**

Committee Members Present (listed in alphabetical order):	
Christopher Feisthamel	Ronald Renaud, Chairman
Robert Griffith	Richard Woolley, Esq.
Non Committee Members Present (listed in alphabetical order):	
Ron Cavallaro	Rick Nagle
Dan Costa	Gary Powers
Joseph DaSilva	Anthony Robinson
John Faltus	Nancy Russolino
Bill Ferland	Michelle Sheehan

Mr. Renaud welcomed everyone to the meeting this morning and attendance of the State Properties Committee members was taken by roll call. Mr. Renaud explained that Mr. Christopher Feisthamel has been appointed by General Treasurer Gina Raimondo and replaced Mr. Michael Goldberg on the State Properties Committee and going forward will be attending the meetings as a non-voting member of the Committee. All Committee members were present; therefore, Mr. Renaud called the meeting to order at 10:05 AM.

Item 1

Review and Approval of Minutes:

Mr. Renaud stated that the first item on the agenda today is the review and approval of the minutes from the State Properties Committee Meeting held on May 21, 2013. He notified that Committee that because of the abundance of agenda items on that particular day, these minutes have not been completed as of yet and will be deferred to a future meeting. .

Item A:

On behalf of the Department of Education, Joseph DaSilva appeared before the Committee to request Final Approval of and Execution of an Agreement to transfer ownership of the Cranston Area Career and Technical Center to the City of Cranston for the disposition of property at 100 Metropolitan Avenue, Cranston, Rhode Island which is the site of the Cranston Area Career and Technical Center for Cranston Public Schools. Mr. DaSilva explained that this is one of three remaining properties that are owned by the State but operated by the local districts. Mr. DaSilva further explained that they have been working for the last several years to transfer all the State owned, locally operated career type facilities back to the cities in which they reside in. Mr. DaSilva went on to say that this project has received Board of Education approval, the Committee has all the necessary documentation and he respectfully asks the Committee for their final approval and execution of the documents. Mr. Griffith asked, what are the two remaining facilities and what is their status? Mr. DaSilva answered, Warwick Career and Tech Center and Woonsocket Career and Tech Center and with both of those projects they have not had much success with the school department and city officials because of the condition of those facilities. Mr. DaSilva went on to say that they just finished an assessment of the Warwick School and the estimates were horrible. They are anticipating that Woonsocket will be done in the near future and they hope to move one of those forward this coming year but they are at the beginning stages of negotiation. Mr. Woolley asked if Chariho is involved in the litigation to which Mr. DaSilva answered yes, but he is unsure of what the status of that is. Mr. Renaud asked if the reluctance of Woonsocket is that they are going to receive the building in somewhat of disrepair on their dime. Mr. DaSilva stated that their hope is to come to an agreement for terms that would allow them to receive the building in good shape and would serve them well for the next 10-15 years. Discussion ensued. Mr. Renaud asked if there were any additional comments or questions. There being none, Mr. Renaud asked for a motion to approve this License Agreement. Mr. Woolley made the motion, which was seconded by Mr. Griffith. The motion to approve was unanimously passed by the Committee.

Item B:

On behalf of the Department of Environmental Management, Gary Powers, Esq. and Dan Costa appeared before the Committee to request approval of and execution of a License Agreement between the Fishermen Cooperative in Newport and the Department of Environmental Management. The License Agreement would allow expansion of the activities of fishermen's cooperative operating at the state facilities located on Pier #9, Port of Newport, Rhode Island. Mr. Powers explained that the Fishermen's Cooperative is currently operating a shack from which they sell lobster and crab. He went on to say that pursuant to the proposed agreement there would be a food truck allowed to be occupying a portion of the corner of the site at Pier #9. The total size of the location is 50 feet by 60 feet and that would permit an expansion of their activity and hopefully an expansion of the popularity of this site both for the fisherman and also for the food market which also occupies this site four times a month. Mr. Powers stated that the Committee will find all necessary documentation in front of them. Mr. Woolley stated this is a license not a lease, correct. Mr. Powers said, yes, he is correct. Mr. Woolley asked if the food operation/food market had a license, as well. Mr. Costa stated it is a farmers market and stated that he does not believe that the farmers market has a license agreement with the State. Mr. Woolley asked if this is sponsored by DEM on State property to which Mr. Powers answered that yes, it is and it is sponsored by the Division of Agriculture. Mr. Woolley asked if they have a provision for insurance and indemnification, etc, for people that are on State property. Mr. Powers answered that he is not certain but he is confident that has been taken care of but he cannot respond to that question. Mr. Woolley asked Mr. Powers to please check into that to which Mr. Powers agreed he would. Mr. Griffith stated that his understanding is that any merchant operating as part of the regularly scheduled farmers markets have to be licensed and their facility be inspected by the health department as well. Mr. Griffith asked Mr. Powers to check into the status of the fish market license. Mr. Powers stated that the Committee will find attached as an Exhibit to the application before them a business license issued by the Department of Health to fishermen in Newport to operate at the State pier in Newport, Rhode Island. Discussion ensued amongst the Committee. The Committee was not in possession of that documentation to which Mr. Powers offered his apologies. Mr. Renaud stated they do not want to slow anything down. That being said, Mr. Woolley stated he would

move approval but he would appreciate it if he could get some background on the farmers market which he feels is separate from this item so this particular agenda item can be moved for approval. Mr. Renaud asked if there were any additional comments or questions. There being none, Mr. Renaud asked for a motion to approve. Mr. Woolley made the motion, which was seconded by Mr. Griffith with discussion. Mr. Griffith stated he is looking at the certificate of liability insurance and asked if that extends to product liability. Mr. Powers answered that product liability is in the amount of 2 million dollars and pointed out to Mr. Griffith where that information is located on the document. Mr. Griffith stated that yes, he sees it now and that is fine. Mr. Griffith stated he did not have any further questions. The motion to approve this License Agreement was unanimously passed by the Committee.

Item C:

On behalf of the Department of Environmental Management, Michelle Sheehan appeared before the Committee to request approval of and Execution of a Purchase and Sale Contract for the purchase of 21 acres of land (Menard Property) in Burrillville, Rhode Island that will add to Black Hut Management Area. The property is located on Cherry Farm Road and abuts Black Hut Management Area. Ms. Sheehan informed the Committee that the purchase price is \$49,000. Mr. Griffith stated that looking at the map there appears to be a trail for a tertiary road from the Iron Stone Road that then transfers further but seems to diminish to a trail. Mr. Griffith asked if this is the only access. Ms. Sheehan answered that yes, this is an unimproved town road and there is actually a development just north of this parcel and that is the reason the purchase price is so low because the Town would require any developer of this property to improve the town road and that is cost prohibitive at the moment. Mr. Griffith asked if the only direct access to the area is through what appeared to be Herring Road. Ms. Sheehan answered its called Cherry Farm Road and yes that continues and connects all the way up to Iron Stone. Discussion ensued. Mr. Renaud asked how much land does the DEM want to buy ultimately around this area. Ms. Sheehan stated it's more about solidifying their boundaries and went on to say that one of the biggest concerns that they have in terms of this property management is encroachment and unwanted used (i.e. ATV's, etc) so to be able to solidify the boundaries is one of the goals and it is not really about acreage. Discussion ensued. Mr. Renaud asked if there were any additional comments or questions. There being

none, Mr. Renaud asked for a motion to approve this Purchase and Sale Contract. Mr. Griffith made the motion, which was seconded by Mr. Woolley. The motion to approve this Purchase and Sale Contract was unanimously passed by the Committee.

Item D:

On behalf of the Department of Environmental Management , Mr. Rick Nagle and Mr. John Faltus appeared before the Committee to request approval of and Execution of a License Agreement and Authorization to Serve (Sell) Alcoholic Beverages with the Fort Adams Trust for a "Zombies Got Guts" Obstacle Race Course Competition being organized by Hallowed Entertainment and David Prata who serves on the Fort Adams Trust Board of Directors. The requested date of the event is Sunday, August 25, 2013. This is a family friendly event to benefit the Fort Adams Trust and a Wish Come True. Mr. Faltus stated that as the Committee is well aware that the Fort Adams Trust has an annual license agreement to host various type functions in Fort Adams to raise money that is put back into the restoration of the Fort and have been doing a great job at it. One of the events that they have had success with at recent years is the October Haunted Fort that they hold during the Halloween season which is also a non-alcoholic event. Mr. Faltus stated that the organizers of that particular event felt there was an opportunity to have another unique type event that could help generate some funds for the Fort Adams Trust and that is why they are before the Committee today with this License Agreement. Mr. Faltus also reminded the Committee that this License Agreement is also to allow alcoholic beverages to be served during a four hour period (12:00 PM -4:00 PM). Mr. Faltus stated that because of the unique nature of this request, he invited Mr. Nagle to attend as well to answer any questions anyone might have in regards to this event. Mr. Griffith asked if we know what effect alcohol has on zombies to which Mr. Faltus stated that he would hope that they would be responsible adult zombies. Mr. Nagle stated that the primary goal of the alcohol service is for the spectators and not for the contestants and to the degree that the contestants are participating, they would be verified for age and it would be post competition. Mr. Woolley asked if Hallowed Entertainment and Princess, Inc. are going to be insured and also have some sort of agreement with the Trust to indemnify the Trust and the State per activities in this event. Mr. Faltus answered that this agreement is with the Trust. Mr. Nagle answered that those groups would have the normal insurance policy in force that the

DEM requires for events to be held. Mr. Woolley also asked if the 18+ participants are going to be required to sign releases or not be allowed to participate to which Mr. Nagle answered, yes. Mr. Renaud asked if the waiver/release is standard? Mr. Faltus answered that in the license agreement, there is a standard provision in their license agreement for any type of athletic events under Article 3 on Page 2. So, for this particular event you have to sign a release which contains that particular language in the license agreement. Mr. Woolley asked if this was vetted before the Trust Board with respect to the propriety of this event. Mr. Nagle answered that there was a not a specific vote of the Board because they generally don't engage in reviewing every activity that goes on but most of not all of the Board are aware of this event. Mr. Nagle added that at the end of the day, the Board is trying to engage Rhode Islanders in the Fort and are looking at a variety of different ways to do that. Additional discussion ensued amongst the Committee and Mr. Faltus and Mr. Nagle regarding this event. Mr. Renaud asked if there would be an EMT type wagon on site to address anyone who might get ill at the event. Mr. Faltus and Mr. Nagle answered yes. Mr. Renaud asked if there were any additional comments or questions. There being none, Mr. Renaud asked for a motion to approve this License Agreement. Mr. Woolley made the motion, which was seconded by Mr. Griffith. The motion to approve this License Agreement was unanimously passed by the Committee.

Item E:

On behalf of the Rhode Island Board of Education, Mr. Ron Cavallaro, Esq. appeared before the Committee to request a Approval of and Execution of a Memorandum of Agreement between the State of Rhode Island Emergency Management Agency, the Rhode Island Board of Education by and through the Community College of Rhode Island for placement of an antenna on the Community College of Rhode Island's Newport Campus building. Mr. Cavallaro stated this is a single antenna which is part of a communications network and the College was agreeable to it and their Board approved it at their last meeting. There are no fees involved and the EMA will pay for the costs involved with Cox Communications, electricity, etc. Mr. Renaud asked if there were any additional comments or questions. There being none, Mr. Renaud asked for a motion to approve this Memorandum of Agreement. Mr. Woolley made the motion, which was seconded by Mr. Griffith. The motion to approve this Memorandum of Agreement was unanimously passed by the Committee.

Item F: –
Old Business/Communications:

Mr. Woolley stated that sending these communications back to notify them that sending the Properties Committee this paperwork doesn't constitute notice is actually a good idea. The rest of the Committee members agreed. The Committee went through the following communications.

- A Notice of Public Hearing from Julie Coelho, Town Clerk for the Town of Warren addressed to the State Properties Committee from the Town of Warren Town Council regarding Alfred Brazil d/b/a Alfred's Consignments, 840 Main Street, and Lanee Deblois-Silva d/b/a Go-Dot Furniture, 69 Market Street and also Michael Mitchell Esq. response letter to Julie Coelho, Town Clerk for the Town of Warren.
- A Notice of Public Hearing from Mike's Professional Tree Service, Inc. addressed to the State Properties Committee regarding 75 Airport Road, Unit 3, AP 44, Lot 1 and also Michael Mitchell Esq. response letter to Mike Professional Tree Service, Inc.
- A Notice of Public Hearing from Ed Harney from Spectra Energy addressed to the State Properties Committee regarding Spectra Energy's Algonquin Gas Transmission, LLC Proposed Algonquin Incremental Market Project Map(s) 225, Lot(s) 022 and also Michael Mitchell Esq. response letter to Ed Harney from Spectra Energy.

Adjournment:

There being no items to discuss in Executive Session today, Mr. Renaud asked for a motion to adjourn the meeting. Mr. Griffith made the motion to adjourn which was seconded by Mr. Woolley. The motion was unanimously approved by the Board.

Mr. Renaud thanked everyone for their time today. The meeting was adjourned at 10:35 AM

Respectfully submitted,

Nancy J. Russolino